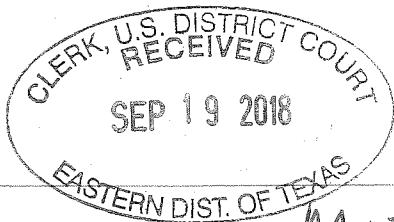


In the US District Court for East TX Tyler Division.

USA

v.

Hank Yoo



§ 6:18 - CR - 16

Emergency Motion.

Unopposed Pre trial Release Motion.

18 USC § 3142 (e)(2), (3) determines the types of defendants subject to detention.

18 USC § 3142 (f)(1), (2) states which types of defendants are subject to detention hearing.

18 USC § 3142 (d) states which types of defendants are subject to temporary detention.

The defendant asserts the court that he is not a danger to the community nor a flight risk, and the burden of this proof is/was on the prosecution; but the Eastern District US Attorney's office, and agents of the FBI and the BATFE, along with PD of City of Tyler and UT Tyler, has repeatedly manufactured false evidence and misrepresented true events in order to deny the defendant of his liberty, right to due process, and numerous Constitutional rights.

The defendant informs the court that his alleged charges are document fraud regarding purchase of firearms, carrying 0-5 yrs and 0-10 yrs statutory range and with extremely low guideline range. The defendant asserts the court that the defendant was entitled to bail pursuant to 18 USC § 3142 (b), (c) from the initial appearance, considering that (1) The defendant has 0 Criminal convictions; (2) The defendant's sentencing guideline range is low; (3) The defendant has a financial support from his family; (4) The defendant is a permanent

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resident and not deportable under these charges ; (5) The defendant has never been committed to a mental institution nor have been adjudicated as a mental defective pursuant to 27 CFR § 478.11 ; (6) South Korea is more than 10,000 km away, (7) Throughout the federal judiciary murderers, rapists, pedophiles, terrorists, and other people who are genuine and demonstrable threats are released from federal custody everyday. The defendant understands that each judge has <sup>the</sup> prerogative of discretion and every case is different. However, it would be a violation of the defendant's 4<sup>th</sup> and 8<sup>th</sup> amendment protection to hold him in custody when he has never been convicted of an act of violence nor has a credible threat ever been reported to the LE.

Therefore, the waiver of detention hearing by the defendant, which was done without a fully informed consent of the defendant, and the detention hearing of 2018 0430 should not have occurred, but for the incompetence and malice of Ken Hank and continued ineffective counsel and malice of Mickelson of his repeated denial and insistence that the defendant would not be granted an appeal of detention hearing, the defendant was unlawfully remained under detention.

Judge Love and Prosecutor Coan however, maliciously decided to detain the defendant (Love ordering temporary detention from the initial hearing and Coan moving to detain), for reasons unknown or possibly to prevent the defendant from effectively fighting his case through his own research by

confining the defendant in 2 facilities with no law libraries and causing irreparably harmful and undue burden on the defendant, having to spend hundreds of dollars on the phone calls to do basic legal research and have internet access through his friends.

Finally, the defendant, since 2018 0823, <sup>has</sup> invoked his 5<sup>th</sup> and 6<sup>th</sup> amendment rights to proceed pro se, clearly and unequivocally. The defendant informs the court of necessity of ability to access his docket as a pro se defendant but inability to do so under detention. The defendant plans to file administrative appeals relevant to his case and research his case to effectively represent himself, which is impossible to do under custody. Whereas, the premises considered, the defendant respectfully requests this motion to be released pending trial, pursuant to Rule 46 of FCR, be GRANTED.

2018 0924

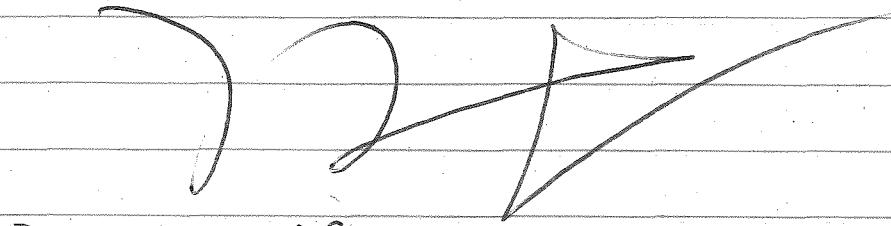
Upon filing this emergency motion, (the defendant requests an expedited hearing to be set before ~~2018 0924~~ purely to set the conditions of bail, since pursuant to 18 USC § 3142, pre-trial release would be in the interest of justice and in accordance with the letter of the law.

The defendant requires speedy disposition of this motion and motion for leave to appeal to be in accordance of speedy trial and to fulfill all necessary measures for his defense. The defendant has already been unlawfully detained for 5 months, denied his 6<sup>th</sup> amendment rights and protection, among others, based on unlawful, false, and malicious

prosecutorial tactics.

(Please use Motion to appeal detention as a reference)

\* This motion should not be construed as an amendment nor a withdraw of my previous motion which granted the October 4th detention hearing. My intent is simply for this to be a supplemental request for summary judgement, separate and apart from the 20180904 hearing on the issue of bail.



20180916

Leon Tony Yeo  
(Leon Tony Yeo)

Hank Yeo (Case No. 6:18-CR-16) sent 21  
101 E Methvin St  
Longview TX 75601

Contains an emergency

Expedited Mail

Important

15 D-1

Mark Yoo (Case No. 6:18-CR-16) sent 2018.09.

01 E Methvin St  
Longview TX 75601

Contains an emergency motion

Expedited Mail

Important

US District Court  
211 W Ferguson Street  
Tyler TX 75702

RECEIVED  
U.S. DISTRICT COURT  
CLERK'S OFFICE  
SEP 20 2018  
7:11 AM  
CLERK'S OFFICE